

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Charles Joseph Spacher v 49th Circuit Court**
Docket No. **289462**
L.C. No. **05-005658 FH**

Henry William Saad, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The motion to waive fees is GRANTED for this case only.

The writ of error is DISMISSED for lack of jurisdiction. An original action cannot be used to challenge a criminal conviction. See *In Re People v Burton*, 429 Mich 133 (1987) and MCR 6.501.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 03 2009
Date

Sandra Schultz Mengel
Chief Clerk